UNITED STATES PATENT AND TRADEMARK OFFICE

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DATE MAILED: 06/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *3/12/04*.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-39* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-39* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *17 February 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-39 are pending. Claims 1,3,5,8,9,11,12,15,16,19,21,22,24,26,29,32,36,37 and 38 have been amended and Claim 39 added. This office action is non-final.

2. Applicant's arguments filed 3/12/04 have been fully considered but they are moot in view of new grounds of rejection. The attorney's arguments are hereby addressed below.

3. The attorney argues that Bryant does not anticipate Claim 1 limitation because he does not meet each and every limitation contained in claim 1. As per the phone interview of March 3, 2004, the examiner agreed that Bryant does not explicitly show the last limitation of Claim 1. Hence Claim 1 and further similar and dependent claims have been converted to a 103 rejection that introduces a new reference to better clarify the obviousness of the "detecting/indicating monitoring of access to content" and "selectively preventing receipt of the content".

4. With respect to Claim 1, the attorney argues that the monitor does not provide the functions of the validation service such as: validation of URL's, providing an indication that monitoring is occurring and preventing receipt of content from the source. The monitor logically sits in between the web browser at the client's side and one or more servers and acts as a proxy by redirecting requests on behalf of the client to the server and receiving it's output. The monitor does not only record sessions but performs simulation of requests and verification processes on the response received from the server, to see if it is a correct response (Bryant, column 4, lines 50-67, column 5, lines 1-25. A possible response could be a situation whereby an accessed

website generates spyware data such as a cookie that can track/monitor the user's web activity.

This is an unwanted software and hence it can be detected and a possible download from that

website prevented, as shown in the new reference.

5. With respect to Claim 5, the attorney argues that the claimed limitation is not anticipated by

Bryant. Like Claim 1, this problem should be cured by the addition of the new reference.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making
> and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it
> pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode
> contemplated by the inventor of carrying out his invention.

Claim1 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the

enablement requirement. The claim(s) contains subject matter which was not described in the

specification in such a way as to enable one skilled in the art to which it pertains, or with which

it is most nearly connected, to make and/or use the invention.

The limitation of "receiving the content from the source, wherein at least one returned

identifier is returned from the source in which the at least one returned identifier represents a

location of the content" contradicts the limitation of "selectively preventing receipt of the content

from the source." Furthermore the specification does not support this contradiction.

Evidence that claim 1 fail(s) to correspond in scope with that which applicant(s) regard as

the invention can be found in page no. 15, lines 2-19 of the specification. On that page, the

applicant has stated *"If the user at client 400 suspects unauthorized monitoring is occurring when retrieving a Web page from Web server 402, a request may be sent to validation server 410 to determine whether such a situation is occurring. ...In response to receiving the request from client 400, validation engine 412 sends requests to Web server 402 for Web pages using the set of URLs. URLs in the retrieved content are compared..."*. This paragraph in the applicant's specification indicates that the invention is different from what is defined in the Claim(s) limitation whereby the second limitation of Claim 1 discloses "receiving the content from the source" and "selectively preventing receipt of the content from the source. The former and latter limitation of Claim 1 furthermore contradict themselves because on one end the client apparently receives the content from the source before any validation of the content is performed, contrary to the applicant's quoted specification. Afterwards, following the negative response indicating monitoring of the user requests, the receipt of the content from the source is selectively prevented. If the content from the source is already received, then how can receipt of the content from the source be prevented? These two limitations clearly contradict themselves and the attorney is kindly encouraged to make the necessary corrections.

For purposes of applying art the second limitation of Claim 1 and all other claims containing the limitation of "receiving the content from the source wherein at least one returned identifier is returned from the source in which the at least one returned identifier represents a location of the content" is considered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 1-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bryant

(6286046 B1) in view of www.junkbusters.com.

With regards to Claim 1, Bryant meets the limitations of "requesting the content from a source"

on column 3, lines 34-35; and "sending a set of identifiers used to reach the content to a

validation service wherein the set of identifiers includes each identifier used to request the

content" on column 3, lines 62-66, column 4, lines 50-64; and "each returned identifier

representing the location of the content" on column 7, lines 66-67 and column 8, lines 1-19;

The limitation of the indication of the monitoring of user requests to content and selectively

preventing receipt of content is not met explicitly by Bryant. However this limitation is met by

www.junkbusters.com on page 2 and 3, paragraph 2. This reference discloses Internet

Junkbusters 2.0.2. works as a proxy that checks every HTTP request against a list of URL's

before delivering the content. Furthermore, it stops almost all cookies by deleting them, as long

as the cookies are approved for deletion. Hence, it provides the capability of detecting

monitoring of access to content (by detecting cookies) and selectively preventing receipt of

content.

Bryant possesses a web browser, a web server and a monitor that represents the validation

service. The monitor acts like the validation service because it logically sits in between the web

browser at the client's side and one or more servers and acts as a proxy by redirecting requests

on behalf of the client to the server and receiving and performing verification of the server's

response. The monitor does not only record sessions (as assumed by the attorney) but performs

simulation of requests and verification processes on the response received from the server, to see

if it is a correct response (Bryant, column 4, lines 50-67, column 5, lines 1-25. A possible

response could be a situation whereby an accessed website generates spyware data such as a

cookie that can track/monitor the user's web activity.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of www.junkbusters.com to that of Bryant because utilizing

the monitor as a proxy to prevent the download of spyware or adware to the client's computer

would prevent the client's computer from falling prey to network clogging/slowing software

from being downloaded without the user's permission. This spyware prevention

systems/softwares i.e. detection/prevention of monitoring is already well known in the art.

With regards to Claim 2, 10, 23 and 31 the limitation "wherein the source is a Web

server" is met by Bryant on column 3, lines 34-35 and 39-42.

With respect to Claim 3 and 24, the limitation "wherein the content is a Web page" is

met by Bryant on column 3, lines 9-11.

With respect to Claim 4 and 25, the limitation "wherein the validation service is located

on a server" is met by Bryant on column 3, lines 57-59.

With respect to Claim 5, all the limitation is met by Bryant except the limitation disclosed below.

The limitation of "presenting an indication of monitoring by the source and responsive to receiving user input indicating that receipt of content from the source should be prevented preventing receipt of content from the source" is met by www.junkbusters.com on page 2 and 3, 2nd paragraph.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of www.junkbusters.com to that of Bryant because utilizing the monitor as a proxy to prevent the download of spyware or adware to the client's computer would prevent the client's computer from falling prey to network clogging/slowing software from being downloaded without the user's permission. This spyware prevention systems/softwares i.e. detection/prevention of monitoring is already well known in the art.

With respect to Claim 6, the limitation "including an identification of the source in a service used to prevent receipt of content from identified sources" is met by Bryant on column 5, lines 26-33.

With respect to Claim 7, 12, 28 and 33 the limitation "wherein the identifier is a universal resource locator" is met by Bryant on column 3, lines 62-66.

With respect to Claim 8, Bryant meets the limitations of "receiving a request from a
requestor…wherein the request includes a set of identifiers used to access selected
content" is met on column 3, lines 62-66; and "in which the set of identifiers includes a
first number of identifiers sent by the requestor to the source to request the content and a
second number of identifiers returned by the source in which the second number of
identifiers represents a location of the content returned to the requestor in response to the
first number of identifiers" on column 3, lines 59-66, column 7, lines 66-67, column 8,
lines 1-19 and 31-41; and "sending a new request using an identifier from the first
number of identifiers in the set of identifiers" is met on column 4, lines 15-24; and
"receiving a first response from the source, wherein the response includes a return
identifier" on column 4, lines 53-56; and "comparing the set of identifiers to the return
identifier and generating a second response …by the source in response to an absence of
a match between the identifier and any identifier in the set of identifiers" inherently on
column 5, lines 3-14.

Bryant however does not meet the limitation of indication of monitoring of access. This
is however met by www.junkbusters.com on page 2 and 3, 2nd paragraph. The cookies
detected represent the detection of monitoring of access because this is the inherent
function of a cookie.

It would have been obvious to one of ordinary skill in the art at the time the
invention was made to combine the teachings of www.junkbusters.com to that of Bryant
because utilizing the monitor as a proxy to prevent the download of spyware or adware to
the client's computer would prevent the client's computer from falling prey to network

clogging/slowing software from being downloaded without the user's permission. This spyware prevention systems/softwares i.e. detection/prevention of monitoring is already well known in the art.

With respect to Claim 9 and 30, the limitation "sending the second response to the requestor" is met by Bryant on column 5, lines 29-33.

With respect to Claim 11 and 32, the limitation of "wherein the content is a Web page, wherein the first number of identifiers is a first universal resource locator sent by the requestor for the Web page, and wherein the second number of identifiers is a second universal resource locator that identifies a location of the Web page returned from the source in response to the requestor sending the first universal resource locator to the source" is met by Bryant on column 3, lines 61-66, column 7, lines 66-67, column 8, lines 1-19 and 31-41.

With respect to Claim 13 and 34, the limitation "wherein the set of identifiers are in an order used to reach the selected content and wherein the sending, receiving, and comparing steps are performed for each of the identifiers within the set of identifiers" is met by Bryant on column 5, lines 15-25.

With respect to Claim 14, the limitation "the step of generating the response comprise

placing an identification of the source in the response" is met by Bryant on column 5,

lines 3-9.

With respect to Claim 15, the limitation "wherein an identification of

the source is a domain name for the source" is met by Bryant on column 6, lines 45-48.

With respect to Claim 16, Bryant meets the limitations of "communications interface

receivers content from a network" is met on column 3, lines 14-20; and "a graphical user

interface used to display the content" is met on column 3, lines 20-21; and "a language

interpretation unit, wherein the language interpretation unit processes content received by the

communications interface for display on the graphical user interface" is met on column 3, lines

27-32; and "a detection unit, wherein the detection unit requests content from a source; wherein

at least one returned identifier is returned from the source in which the at least one returned

identifier represents a location of the contents; sends a set of identifiers used to reach the content

to a validation service, wherein the set of identifiers includes each identifier used to request the

content and each returned identifier representing the location of the content" is met by Bryant on

column 7, lines 65-67 and column 8, lines 1-20 an 31-41. Bryant however does not disclose the

following limitation.

The limitation of "selectively prevents receipt of content from the source in response to a

response from the validation service indicating monitoring of access to content" is met by

www.junkbusters.com on page 2 and 3, 2nd paragraph. The validation service is the Internet

Junkbuster 2.02 working as a proxy.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of www.junkbusters.com to that of Bryant because utilizing

the monitor as a proxy to prevent the download of spyware or adware to the client's computer

would prevent the client's computer from falling prey to network clogging/slowing software

from being downloaded without the user's permission. This spyware prevention

systems/softwares i.e. detection/prevention of monitoring is already well known in the art.

With respect to Claim 17, the limitation "wherein the language interpretation unit

interprets hypertext markup language statements" is met by Bryant on column 3, lines 34-36.

With respect to Claim 18, the limitation "wherein the language interpretation unit

interprets JavaScript" is met by Bryant on column 3, lines 27-32.

With respect to Claim 19, Bryant meets the limitations of "a bus" inherently in Fig. 2;

and " communications interface connected to the bus herein the communications interface is

configured for connection to a network" is met on column 3, lines 14-20; and "a processing unit

connected to the bus, wherein the processing unit executes instructions" is inherent in Fig. 2; and

"a memory connected to the bias, wherein the memory includes instructions used to request the

content from a source, wherein at least one returned identifier is returned from the source in

which the at least one returned identifier represents a location of the contents; send a set of

identifiers used to reach the content to a validation service, wherein the set of identifiers includes

each identifier used to request the content and each returned identifier representing the location

of the content" on column 7, lines 65-67 and column 8, lines 1-20 an 31-41. Bryant does not disclose the limitation below.

The limitation of "selectively prevent receipt of the content from the source in response to a response from the validation service indicating monitoring of user requests to access to the content is occurring" is met by www.junkbusters.com on page 2 and 3, 2nd paragraph.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of www.junkbusters.com to that of Bryant because utilizing the monitor as a proxy to prevent the download of spyware or adware to the client's computer would prevent the client's computer from falling prey to network clogging/slowing software from being downloaded without the user's permission. This spyware prevention systems/softwares i.e. detection/prevention of monitoring is already well known in the art.

With respect to Claim 20, the limitations "wherein the communications interface is one of a network adapter and a modem" is met inherently by Bryant in Fig. 2. This is because these components are necessary for the computer in the diagram to have access to the network, to which it is connected to.

With respect to Claim 21, Bryant meets the limitations of "a bus" is met in Fig. 2; and "a communications interface connected to the bus wherein the communications interface is configured for connection to a network" is met on column 3, lines 14-20; and "a processing unit connected to the bus, wherein the processing unit executes instructions" is inherent in Fig. 2; and "a memory connected to the bus, wherein the memory includes instruction; used to receive a

request from a requestor to determine whether a source of the content is monitoring access by the

requestor in which the request includes a set of identifiers used to access selected content in

which the set of identifiers includes a first number of identifiers returned by the source in which

the second number of identifiers represents a location of the content returned to the requestor in

response to the first number of identifiers; send a new request to the source using an identifier

from the first number of identifiers in the set of identifiers, receive a first response from the

source in which the response includes a return identifier, compare the set of identifiers to the

return identifier, and generate a second response indicating the monitoring of access by the

requestor for content by the source in response to an absence of match between the return

identifier and any identifier in the set of identifiers" is partly in Fig. 2 and partly in the following:

on column 10, line 67 and on column 3, lines 59-66, column 7, lines 66-67, column 8, lines 1-19

and 31-41. The aspect of the above limitation that is not met by Bryant is the determination of

whether the source of the content is monitoring access by the requestor and this is met by

www.junkbusters.com on page 2 and 3, 2nd paragraph.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of www.junkbusters.com to that of Bryant because utilizing

the monitor as a proxy to prevent the download of spyware or adware to the client's computer

would prevent the client's computer from falling prey to network clogging/slowing software

from being downloaded without the user's permission. This spyware prevention

systems/softwares i.e. detection/prevention of monitoring is already well known in the art.

With respect to Claim 22, Bryant meets the limitations of "requesting means for requesting the content from a source" is met on column 3, lines 34-35; and "sending means for sending a set of identifiers used to reach the content to a validation service, wherein the set of identifiers includes each identifier used to request the content and each returned identifier representing the location of the content" on column 3, lines 62-66; and on column 7, lines 65-67 and on column 8, lines 1-20 and 31-41. Bryant however does not meet the below limitation.

The limitation of "preventing means responsive to a response from the validation service indicating the monitoring of user requests to access to content is occurring, for selectively preventing receipt of the content from the source" is met by www.junkbusters.com on page 2 and 3, 2nd paragraph.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of www.junkbusters.com to that of Bryant because utilizing the monitor as a proxy to prevent the download of spyware or adware to the client's computer would prevent the client's computer from falling prey to network clogging/slowing software from being downloaded without the user's permission. This spyware prevention systems/softwares i.e. detection/prevention of monitoring is already well known in the art.

With respect to Claim 26, all the limitation is met by Bryant except for the following limitation.

The limitation of "presenting means for presenting an indication of monitoring by the source and preventing means responsive to receiving user input indicating that receipt of content

from the source should be prevented, for preventing receipt of content from the source" is met by

www.junkbusters.com on page 2 and 3, 2nd paragraph.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teachings of www.junkbusters.com to that of Bryant because utilizing

the monitor as a proxy to prevent the download of spyware or adware to the client's computer

would prevent the client's computer from falling prey to network clogging/slowing software

from being downloaded without the user's permission. This spyware prevention

systems/softwares i.e. detection/prevention of monitoring is already well known in the art.

With respect to Claim 27, the limitation "including means for including an identification

of the source in a service used to prevent receipt of content from identified sources" is met by

Bryant on column 5, lines 26-33.

With respect to Claim 29, its limitations are similar to Claim 8 limitation and hence its

rejection can be found therein.

With respect to Claim 35, the limitation "wherein the generating means comprises

placing means for placing an identification of the source in the response" is met by Bryant on

column 5, lines 3-9.

With respect to Claim 36, the limitation "wherein an identification of the source is a

domain name for the source" is met by Bryant on column 6, lines 45-48.

With respect to Claim 37, its limitation is similar to Claim 1 limitation and hence its rejection can be found therein.

With respect to Claim 38, its limitation is similar to Claim 8 limitation and hence its rejection can be found therein.

With respect to Claim 39, the limitation of "wherein the content is a plurality of Web pages, wherein the first number of identifiers contain first universal resource locators sent by the requestor for the plurality of Web pages, and wherein the second number of identifiers contain second universal resource locators that identify the plurality of Web pages returned from the source in response to the requestor sending the first universal resource locators to the source" is met by Bryant on column 3, lines 9-11, column 2, lines 5-19, column 8, lines 31-41.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tracey Akpati whose telephone number is 703-305-7820. The examiner can normally be reached on 8.30am-6.00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 703-305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

OTA

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